

REMARKS:

Claims 1-16 and 21-24 are currently pending in the present application.

Claims 23 and 24 stand objected to because the claims appear to be identical in scope. Claims 1-16 and 21-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 2,615,234 to Dumbleton ("Dumbleton") in view of U.S. Patent No. 3,135,486 to Wing et al. ("Wing").

Claim 1 is hereby amended to more particularly point out and distinctly claim the invention. Claim 9 and 24 are hereby cancelled. Upon entry of this Amendment, Claims 1-8, 10-16, and 21-23 will be pending in the present application.

The Applicants submit that the foregoing amendment adds no new matter to the application.

OBJECTIONS:

Claims 23 and 24 stand objected to because the claims appear to be identical in scope. Claim 24 is hereby cancelled. Thus the objection regarding Claims 23 and 24 is now moot.

REJECTIONS UNDER 35 U.S.C. § 103(a):

Claims 1-16 and 21-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dumbleton in view of Wing. These rejections are respectfully traversed as discussed below. Claims 9 and 24 are hereby cancelled, thus the rejections of Claims 9 and 24 are considered moot.

Claim 1 is an independent claim, and Claims 1-8, 10-16, and 21-23 depend from Claim 1, and intervening claims. Accordingly, the following remarks made in connection with Claim 1 apply equally to Claims 1-8, 10-16, and 21-23.

Dumbleton discloses a fixed leading edge member of a wing assembly. The Examiner acknowledges that Dumbleton fails to teach that each pocket defining a region of the leading edge member has a pocket thickness that is less than the surface thickness

of the leading edge member. The Examiner relies upon Wing to teach pockets in the leading edge member.

Wing discloses an airfoil structure which includes a leading edge component 21. The inside surface of the leading edge possesses a plurality of spaced-apart recesses 23 representing a grid 24 of thicker material. The recesses 23 have a thickness which is the minimum required to obtain structural integrity of the leading edge. According to Wing, the purpose of having a grid of thicker material 24 is to allow for sufficient thickness to accommodate a countersunk rivet head. Insufficient material thickness at the rivet head could cause failure due to the rivet head pulling through the material. Another detrimental effect would be the countersunk hole forming a "knife edge" in the leading edge which produces high stress concentrations which could lead to crack propagation. Thus, the function of the recesses in the leading edge of Wing is to provide sufficient material thickness for the countersunk rivets, while preventing the addition of weight to the airfoil structure. This functionality is completely different from the claimed invention.

Claim 1 is hereby amended to include the limitation of a first set of pockets located in a first region approximate an inboard portion of the leading edge member, and a second set of pockets located in a second region approximate an outboard portion of the leading edge member. Claim 1, as currently amended, also includes the limitation of wherein each pocket in the first set of pockets is at least one of an oval shape and a circular shape, the first set of pockets being configured to deform according to a first crumple characteristic; and wherein each pocket in the second set of pockets has an approximately rectangular shape, the second set of pockets being configured to deform according to a second crumple characteristic, the second crumple characteristic being different from the first crumple characteristic. Support for this amendment can be found at least on page 5, lines 19-28, as well as Figure 2, of the originally filed specification. Neither Dumbleton nor Wing disclose, teach, or suggest a leading edge member having a first set of oval or rectangular pockets, the first set of pocket being configured to deform according to a first crumple characteristic, as well as a second set of approximately rectangular shaped pockets configured to deform according to a second crumple characteristic, which is different from the first crumple characteristic.

The Applicants submit that Dumbleton and Wing, whether considered separately or in combination, fail to disclose, teach, suggest, or mention all of the features and limitations of Claim 1, and Claims 2-16 and 21-24 which depend from Claim 1, and intervening claims. *Carlson* fails to cure this deficiency of *Wing*. *Carlson*, like *Wing*, at least fails to disclose, teach, suggest, or mention the Claim 1 limitation of wherein the second airfoil member is fixed in relation to the first airfoil member, and therefore, also fails to disclose, teach, suggest, or mention the more specific limitations recited in Claims 1-8, 10-16, and 21-23. Thus, for at least these reasons, the Applicants submit that Claims 1-8, 10-16, and 21-23 are not rendered obvious by Dumbleton and Wing, or any combination thereof.

As such, the Applicants submit that the Examiner's rejections of Claims 1-8, 10-16, and 21-23 under 35 U.S.C. § 103(a) are traversed and that Claims 1-8, 10-16, and 21-23 are now in condition for allowance. Therefore, it is respectfully requested that the rejections of Claims 1-8, 10-16, and 21-23 under 35 U.S.C. § 103(a) be reconsidered and withdrawn, and that Claims 1-8, 10-16, and 21-23 be allowed.

CONCLUSION:

The Applicant submits that the foregoing amendments and remarks place the subject application in condition for allowance. As such, the Applicant respectfully requests reconsideration and a Notice of Allowance.

This Amendment is being filed via the U.S. Patent and Trademark Office's EFS-Web electronic filing system. No fees are deemed to be necessary; however, the undersigned hereby authorizes the Commissioner to charge any additional fees which may be required, or credit any overpayments, to **Deposit Account No. 502806**.

Respectfully submitted,

12/9/10
Date

James E. Walton

James E. Walton
Reg. No. 47,245
Law Offices of James E. Walton, P.L.L.C.
1169 N. Burleson Blvd., Suite 107-328
Burleson, Texas 76028
(817) 447-9955 (Voice)
(817) 447-9954 (Facsimile)
jim@waltonpllc.com

CUSTOMER NO. 38441

ATTORNEY FOR APPLICANT